

Message Text

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INFO OCT-01 EUR-12 IO-13 ISO-00 SP-02 DOE-11 ACDA-12
CIAE-00 DODE-00 PM-05 INR-10 NSAE-00 NASA-01
NSC-05 SOE-02 SS-15 OES-07 /099 W
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P 281658Z FEB 78
FM AMEMBASSY MOSCOW
TO SECSTATE WASHDC PRIORITY 8383
INFO USMISSION USUN NEW YORK
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C O N F I D E N T I A L SECTION 01 OF 02 MOSCOW 03141

E.O. 11652: N/A
TAGS: TSPA, UN, UR
SUBJECT: OUTER SPACE ISSUES -- SOVIETS POSITIONS IN UN
OUTER SPACE COMMITTEE LEGAL SUBCOMMITTEE

REF: (A) MOSCOW 3032, (B) STATE 49653

1. DURING FEBRUARY 27 MEETING WITH SCICOUNS (REF A)
BORIS MAYORSKIY, CHIEF OF MULTILATERAL SPACE SECTION,
MFA TREATY AND LEGAL DIVISION, MADE A NUMBER OF REMARKS
CONCERNING US AND SOVIET POSITIONS ON VARIOUS SUBSTANTIVE
MATTERS LIKELY TO COME UP AT SESSION OF UN OUTER SPACE
COMMITTEE LEGAL SUBCOMMITTEE (LSC) SESSION IN GENEVA
BEGINNING MARCH 13. MAYORSKIY NOTED THAT US AND SOVIET
POSITIONS DIFFER ON SEVERAL ISSUES, ESPECIALLY THE TREATY
ON THE MOON (TOM), DIRECT BROADCASTING BY SATELLITE
(DBS), AND REMOTE SENSING FROM SPACE. IN SPITE OF THESE
POTENTIAL AREAS OF DISAGREEMENT, MAYORSKIY EMPHASIZED THAT
SOVIETS REMAIN COMMITTED TO CONCEPT OF
"CONSENSUS" IN REACHING AGREEMENT WITHIN THE LSC.
2. TREATY ON THE MOON (TOM); MAYORSKIY STATED THAT
"PSYCHOLOGY" OF SOVIETS INVOLVED IN THE SPACE PROGRAM
LEADS THEM TO RESIST OBLIGATION TO FURNISH ADVANCE INFORMA-
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TION ON LUNAR MISSIONS. MAYORSKIY ALSO NOTED THAT SOVIETS
HAVE SERIOUS RESERVATIONS ABOUT APPLICATION OF THE CONCEPT
OF "COMMON HERITAGE OF MANKIND" TO THE NATURAL RESOURCES
OF THE MOON. HE NOTED THAT SOVIETS HAD BEEN FORCED TO
ACCEPT USE OF THIS CONCEPT DURING LAW OF THE SEA
(LOS) TALKS, HOWEVER, THEY WILL RESIST TRANSFER OF THIS
CONCEPT TO THE TOM. MAYORSKIY COMMENTED THAT POSSIBILITY

OF OBTAINING CONSENSUS ON THIS ISSUE HAS DIMINISHED SINCE 1973, BECAUSE OF THE GROWING DEMANDS OF LDC'S FOR INCLUSION OF THIS CONCEPT IN THE TOM. US AND USSR ARE ALSO IN DISAGREEMENT ON THIS ISSUE ACCORDING TO MAYORSKIY, BECAUSE US DID NOT WANT TO ACCEPT SOVIET PROPOSAL FOR A MORATORIUM ON POSSIBLE COMMERCIAL EXPLOITATION OF LUNAR NATURAL RESOURCES.

3. DIRECT BROADCAST BY SATELLITE (DBS); MAYORSKIY CLAIMED (FALSELY) THAT US WAS IN VIRTUAL ISOLATION ON QUESTION OF PRIOR CONSENT OF RECEIVING STATE, AND HE COMMENTED THAT BEST HOPE FOR AGREEMENT ON THIS ISSUE LAY IN ACCEPTANCE OF FORMULA BASED ON USE OF "AGREEMENT/ACCEPTANCE" LANGUAGE ADOPTED AT LAST SESSION OF LSC. IN RESPONSE TO SCICOUNS' QUESTION, MAYORSKIY STATED THAT CONCEPT OF "PRIOR NOTIFICATION" ON "NON-BINDING CONSULTATIONS" WOULD NOT SATISFY THE SOVIETS. SOVIETS WOULD NOT INSIST ON USE OF THE WORD "PRIOR" ACCORDING TO MAYORSKIY, HOWEVER, FROM SOVIET POINT OF VIEW THE KEY PHRASE WOULD BE THAT DBS SHOULD BE BASED ON "AGREEMENT WITH" THAT RECEIVING STATE. BUT MAYORSKIY ALSO NOTED THAT BRITISH PAPER INTRODUCED DURING LSC MEETING IN APRIL 1977 ON THE RESULTS OF THE 1977 ITU WORLD ADMINISTRATIVE RADIO CONFERENCE HAD BEEN HELPFUL, AND COULD, IN THE SOVIET VIEW, CONSTITUTE A POSSIBLE BASIS FOR AGREEMENT.

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4. REMOTE SENSING; ACCORDING TO MAYORSKIY, SOVIET POSITION ON REMOTE SENSING IS BASED ON THE CONCEPT THAT A STATE HAS FULL SOVEREIGNTY OVER NATURAL RESOURCES LOCATED ON ITS TERRITORY. SOVIETS BELIEVE THAT INFORMATION ON NATURAL RESOURCES HAS A VALUE WHICH SHOULD BELONG TO THE POSSESSING STATE. THEREFORE, SOVIETS HAVE TAKEN THE POSITION THAT INFORMATION ON A STATE'S NATURAL RESOURCES DEVELOPED BY REMOTE SENSING SHOULD NOT BE TRANSFERRED TO ANOTHER STATE WITHOUT THE EXPRESS PERMISSION OF THE POSSESSING STATE. MAYORSKIY DREW A DISTINCTION BETWEEN RAW DATA, WHICH MAY BE RELEASED MORE READILY, AND PROCESSED INFORMATION, OVER WHICH POSSESSING STATES SHOULD RETAIN RELEASE RIGHTS. MAYORSKIY CLAIMED THAT SOVIETS HAD CHOSEN 50 METER SPATIAL RESOLUTION AS A CRITERIA FOR RELEASE OF REMOTELY SENSED DATA BECAUSE RESOLUTIONS BELOW THAT LEVEL WOULD REVEAL VALUABLE RESOURCE INFORMATION. MAYORSKIY ADDED THAT THE SOVIETS MIGHT BE ABLE TO AGREE TO LOWER RANGE OF RESOLUTION IN NON-OPTICAL SCANNING SYSTEMS; HOWEVER, THIS IS A HIGHLY TECHNICAL MATTER ON WHICH THE EXPERTS STILL HAVE NOT YET REACHED ANY DEFINITE CONCLUSIONS.

5. US-USSR CONSULTATIONS; MAYORSKIY NOTED THAT US-SOVIET CONSULTATIONS HAVE PROVEN USEFUL IN THE PAST IN IRONING OUT POTENTIAL PROBLEMS IN ADVANCE OF UN OUTER SPACE SESSIONS. HE NOTED; HOWEVER, THAT US HAS BEEN RELUCTANT TO REGULARIZE THESE CONSULTATIONS. IN THIS CONNECTION MAYORSKIY CLAIMED THAT SOVIETS HAD NOT INITIATED REQUEST FOR CONSULTATIONS BEFORE THIS YEAR'S LSC. MAYORSKIY CLAIMED THAT IN RAISING POSSIBILITY OF CONSULTATIONS KHLESTOV (PARA ONE REF B) WAS MERELY FOLLOWING UP INFORMAL UNDERSTANDING WHICH MAYORSKIY CLAIMED SOVIETS HAD OBTAINED FOR US DELEGATION TO THE 1977 LSC MEETING IN VIENNA, TO THE EFFECT THAT THE US WOULD SEEK OPPORTUNITY TO CONSULT WITH THE SOVIETS PRIOR 1978 LSC SESSION. SCICOUNS TOOK NOTE OF MAYORSKIY'S CONFIDENTIAL

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C O N F I D E N T I A L SECTION 02 OF 02 MOSCOW 03141

REMARKS ON BACKGROUND OF KHLESTOV'S APPROACH
BUT ADDED THAT THIS INTERPRETATION DID NOT FULLY AGREE
WITH INFORMATION WE HAD RECEIVED FROM DEPT (REF B).
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